IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE EASTERN DIVISION

CHRISTINE WILLIAMS, as Administrator ad Litem for the Estate)	
Of Sylvainus Cole, III, Deceased,)	
)	
Plaintiff,)	
)	
V.)	Case No. 1:24-cv-01074-JDB-jay
)	
CORECIVIC OF TENNESSEE, LLC,)	
CORECIVIC, INC., ALEXIE PRUITT,)	
CHERTERICA NEAL and JOHN DOES,)	
)	
Defendants.)	

ORDER DENYING DEFENDANTS' MOTION TO DISMISS AS MOOT

Before the Court is the September 3, 2024, motion of the Defendants, CoreCivic of Tennessee, LLC, CoreCivic, Inc., Alexie Pruitt and Cherterica Neal, to dismiss the Plaintiff's claims against them for failure to state a claim upon which relief can be granted. (Docket Entry ("D.E.") 17.) On September 24, 2024, the Plaintiff filed an amended complaint, which included numerous additional factual allegations. (D.E. 20.) When a plaintiff files an amended complaint, the new pleading supersedes all previous complaints and controls the case going forward. *Parry v. Mohawk Motors of Michigan, Inc.*, 236 F.3d 299, 307 (6th Cir. 2000) (citing *In re Atlas Van Lines, Inc.*, 209 F.3d 1064, 1067 (8th Cir. 2000)). Dispositive motions filed by a defendant based on the prior pleadings may then be denied as moot. *See Lowe v. Hamilton Cnty. Dep't of Job & Family Servs.*, No. 1:05cv117, 2007 WL 3232434, at *1 (S.D. Ohio Oct. 31, 2007) (citing *Chambers v. United States*, No. 1:06 CV 911, 2006 WL 2482007, at *1 (N.D. Ohio Aug. 24, 2006)) ("Since the amended complaint replaces the original complaint, the earlier-filed motion to dismiss

... is moot"); see also Beijing Fito Med. Co. v. Wright Med. Tech., Inc., No. 2:15-cv-02258-JPM-tmp, 2016 WL 502109, at *1 (W.D. Tenn. Feb. 8, 2016) (citing Ky. Press Ass'n v. Kentucky, 355 F. Supp. 2d 853, 857 (E.D. Ky. 2005)) (where amended complaint had been filed, motion to dismiss original complaint rendered moot). Accordingly, the Defendants' motion to dismiss (D.E. 17) is DENIED without prejudice as moot.

IT IS SO ORDERED this 9th day of October 2024.

<u>s/J. DANIEL BREEN</u> UNITED STATES DISTRICT JUDGE